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February 14, 2024

Application GRANTED. The Clerk of Court is directed to terminate the motion at ECF No. 47.

By ECF

The Hon. Arun Subramanian
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 15A
New York, NY 10007
(212) 805-0238

SO ORDERED.



Arun Subramanian, U.S.D.J.

Date: February 14, 2024

Re: *Federico and Company LLC d/b/a M&W Suppliers v. Zurich General Insurance Malaysia Berhad*, Case No. 23 Civ. 04411 (AS)

Dear Judge Subramanian:

We represent Zurich General Insurance Malaysia Berhad (“Zurich Malaysia”) in the above-captioned matter. We write further to Your Honor’s February 2, 2024 Order [Dkt. 50] to respectfully advise that counsel to the Parties have conferred and Plaintiff Federico and Company LLC d/b/a M&W Suppliers (“M&W Suppliers”) has consented to Zurich Malaysia amending its Answer to replead its Seventh and Twenty-First Affirmative Defenses, which are the subject M&W Suppliers’ Motion to Strike [Dkt. 44]. Zurich Malaysia has not provided M&W Suppliers with a copy of its proposed Amended Answer as of this filing. We note that M&W Suppliers’ consent is without prejudice to its right to renew its Motion to Strike Zurich Malaysia’s Seventh and Twenty-First Affirmative Defenses. All parties consent to this letter.

In the circumstances, the parties respectfully request that the Court adjourn the hearing on Plaintiff’s motion currently scheduled for February 15, 2024 and allow Zurich Malaysia to amend its Answer and file an Amended Answer with Affirmative Defenses by Friday, February 16, 2024, without prejudice to Plaintiff’s right to renew its Motion to Strike Zurich Malaysia’s Seventh and Twenty-First Affirmative Defenses.

We thank the Court for its time and attention to this matter.

Respectfully submitted,

/s/ Corey R. Greenwald

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